

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JORGE MARTINEZ	:	CIVIL ACTION
	:	
v.	:	
	:	
SKIRMISH, U.S.A., INC., ET AL.	:	NO. 07-5003

**ORDER**

**AND NOW**, this        day of June, 2009, upon consideration of the Motion for Summary Judgment filed by Skirmish, U.S.A., Inc. (Docket No. 63), all documents filed with respect thereto, and the Hearing held on May 14, 2009, **IT IS HEREBY ORDERED** that the Motion is **GRANTED** in part and **DENIED** in part as follows:

1. The Motion for Summary Judgment is **GRANTED** as to Count I of the First Amended Complaint.
2. The Motion for Summary Judgment is **GRANTED** as to the claims for strict liability and breach of implied warranties regarding the paintball in Counts III and IV of the First Amended Complaint.
3. The Motion for Summary Judgment is **DENIED** in all other respects.

BY THE COURT:

/s/ John R. Padova

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John R. Padova, J.